



Public Employees for Environmental Responsibility

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May 11, 2017

Associate Administrator Liz Bowman
Environmental Protection Agency
Office of Public Affairs
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Re: Freedom of Information Act Request

Dear Associate Administrator Bowman:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended, Public Employees for Environmental Responsibility (PEER) requests information regarding the practices of the Office of Public Affairs (OPA) in screening presenters for EPA's external webinars and speaking engagements. Specifically, we request—

1. A comprehensive list of presenters who have been proposed to participate in an EPA webinar or speaking engagements since January 20, 2017 to the present. This may be an existing list, series of lists, or any other documentation highlighting potential presenters;
2. A comprehensive list of presenters who have been denied approval by OPA to speak during an EPA webinar or speaking engagement, as well as any communications or decision documents detailing the basis for such a denial;
3. Any materials or communications among Agency professionals detailing what criteria is employed by OPA in reviewing proposals for webinars and speaking engagements from EPA's program offices; and
4. Any and all documentation, including written policies and communications among OPA staff, detailing OPA practices monitoring social media accounts of EPA programmatic staff and potential webinar and speaking engagement presenters.

All records sought are from January 20, 2017 to the present. For any documents or portions of documents that you block release due to specific exemption(s) from the

requirements of the Freedom of Information Act, please provide an index itemizing and describing the documents or portions of documents withheld. The index should, pursuant to the holding of Vaughn v. Rosen (484 F.2d 820 [D.C. Cir. 1973] cert. denied, 415 U.S. 977 [1974]), provide a detailed justification for claiming a particular exemption that explains why each such exemption applies to the document or portion of a document withheld.

PEER requests that all fees be waived because “disclosure of the information is in the public interest . . . and is not primarily in the commercial interest of the requestor” (5 U.S.C. 552 (a) (4)(A)):

1. The records concern the operations or activities of the Government.

This FOIA request is, by its terms, limited to identifiable activities of a specified office of the EPA.

2. The disclosure of the requested records is likely to contribute to public understanding of these operations or activities.

The requested material concerns information on the approval process for presenters at outward-facing EPA webinars and presentations. It is tailored to provide lists of who has been selected and rejected to present at EPA events, as well as the criteria employed by the agency in selecting individuals to present. This information would greatly expand the public’s knowledge of how the Office of Public Affairs operates and how material is selected for presentation by internal and external presenters during EPA events.

3. The release of these requested records will contribute significantly to public understanding of the governmental activities.

The information should shed direct light on the processes implemented by EPA in order to evaluate and make decisions regarding selection of presenters at EPA webinars and presentations. Moreover, this request will reveal to what extent EPA is adhering to Agency policies governing scientific freedom and/or interfering in the selection of scientific staff for informational events.

PEER believes that disclosure of these documents will offer the general public important insights into how the Office of Public Affairs engages with the scientific community, how it selects particular presenters, and the process by which the agency determines what scientific voices are to be heard at EPA hosted events.

PEER intends to provide the requested information to the general public through —

- Release to the news media;
- Posting on the PEER web page which draws between 1,000 and 10,000 viewers per day; and
- Publication in the PEER newsletter which has a circulation of approximately 20,000, including 1,500 environmental journalists.

Through these methods, PEER generates an average of 1.5 mainstream news articles per

day. Moreover, PEER has repeatedly demonstrated the ability to generate nationwide news coverage concerning activities occurring within the EPA, including recent media coverage on scientific fraud at Hunter's Point, California,¹ shifting EPA water protection policies,² and EPA Superfund transparency.³

4. Disclosure would not serve a commercial interest of the requestor.

Disclosure is in no way connected with any commercial interest of the requestor in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation's resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is designated as a tax-exempt organization under section 501(c)(3) of the Internal Revenue code.

If you have any questions about this FOIA request, please contact me at (202) 265-PEER. I look forward to receiving the agency's final response within 20 working days.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Carlesco'.

Adam Carlesco, Staff Counsel
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¹ <http://abc7news.com/realestate/epa-letter-reveals-navys-downplay-of-radioactive-soil-in-sfs-bayview/3335396/>

² <http://thehill.com/policy/energy-environment/381590-epa-memo-gives-pruitt-more-power-over-water-protections-policy>

³ <http://www.chicagotribune.com/news/nationworld/politics/ct-epa-pruitt-superfund-task-force-records-20171220-story.html>